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April 18, 2025

**By ECF**

Honorable Lois Bloom  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY, 11201

Re: Tony Harrison v. Correctional Officer Hodge et al.,  
96-CV-1465 (PKC) (LB)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and the attorney representing the City, Sanchez, Kennedy, and Mulhall in the above-referenced matter. I write on behalf of the City of New York to: (1) provide a status report in response to the Court's Order of March 20, 2025 (ECF No. 83), regarding our ongoing efforts to identify and locate Correction Officers ("COs") Hodge and Steward; and (2) respectfully request an extension of time from April 18, 2025, until April 29, 2025, the date of our scheduled conference, to provide an update in response to the Court's Order dated March 24, 2025 (ECF No. 87), directing DOC to produce personnel records to assist in identifying CO Steward.

By way of background, on September 25, 2024, the Court issued a Valentin Order directing Corporation Counsel to provide current service addresses for all named officer defendants (ECF No. 54). After several extensions (ECF Nos. 55, 57, 72, 78), and as detailed in our January 29, 2025 status report (ECF No. 72), this Office has been making diligent efforts to identify and locate both CO Hodge and CO Steward.

**Correction Officer Hodge**

On January 30, 2025, the Court issued an Order directing the Clerk of Court to issue amended summons for CO Hodge based on the last known address we provided (ECF No. 73). Unfortunately, as reported to the Court on March 24, 2025, the summons issued to CO Hodge was returned unexecuted with the remark "incorrect address" (ECF No. 86). The Court subsequently ordered this Office to file a letter explaining our verification process for CO Hodge's address and whether we could secure a designation of agent authorization (ECF No. 88).

On March 31, 2025, we informed the Court of our verification process and requested authorization for a subpoena to the New York City Employees' Retirement System (NYCERS) to obtain current contact information for CO Hodge (ECF No. 89). The Court approved this subpoena on April 1, 2025 (ECF No. 90).

The Court-approved subpoena to NYCERS was served on April 2, 2025, with a return date of April 21, 2025. As of the date of this filing, we have not yet received a response from NYCERS. We anticipate receiving updated contact information for CO Hodge from NYCERS by the return date, which will hopefully allow us to facilitate proper service.

**Correction Officer Steward**

On March 21, 2025, this Office submitted a proposed Order directing the production of Department of Correction (“DOC”) personnel records to assist in the identification of CO Steward (ECF No. 85), which the Court So-Ordered on March 24, 2025 (ECF No. 87).

Pursuant to the Court's Order dated March 24, 2025 (ECF No. 87), DOC was directed to produce certain personnel records to this Office by April 18, 2025, to assist in identifying CO Steward.

Following the March 20, 2025 status conference, this Office has maintained regular communication with DOC regarding the production of these records. We sought and received DOC’s input on the wording of our proposed Order, and confirmed that DOC was on notice of its pendency and content before it was endorsed by the Court on March 24. We have subsequently contacted DOC's Legal Division weekly on March 25, April 1, April 8, and daily since April 15, 2025, to follow up on the status of the records search and to emphasize the urgency of this matter.

In the interim, and in an effort to advance this case through our own independent investigation, we requested and received from DOC a last known address for the last remaining Black male Correction Officer with the surname “Steward” (so spelled) who was employed by DOC in 1996. Through public records searches, we have determined that this individual has since changed his name. We have attempted to contact him telephonically several times, but as of the date of this filing, he has not returned any of our calls.

Unfortunately, on April 18, 2025, one of our DOC correspondents informed us that they would not be able to comply in time with the Court Order to produce the requested personnel records. According to our DOC correspondent, because “files as old as these are not on site” and “are all paper,” DOC had to request the personnel files from their Human Resources Division in order to retrieve them from storage, and that they are still waiting to receive them. As such, an extension of time, from April 18, 2025, until April 29, 2025, will help ensure that DOC can obtain the personnel files it requested and provide them to us.

Beyond what the Court has Ordered DOC to produce, this Office also continues to seek any records pertaining to CO Hodge that might be informative as to the identity of CO Steward.

In conclusion, the City respectfully requests an extension of time April 18, 2025, until April 29, 2025, to provide an update in response to the Court's Order dated March 24, 2025 (ECF No. 87), directing DOC to produce personnel records to assist in identifying CO Steward. We will continue our efforts to identify and locate both CO Hodge and CO Steward and will be prepared to provide a more detailed update at the upcoming status conference scheduled for April 29, 2025.

The Defendants thank the Court for its time and consideration to this matter.

Respectfully submitted,

Joseph Zangrilli /s/

Joseph Zangrilli

Cc: **By First Class Mail**

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97-A-1299

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